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APPLICATION N	10.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/725,611	•	12/02/2003	Kenneth A. Martin	1190.08	4997	
29637	7590	09/13/2006		EXAM	EXAMINER	
		GROUP, P.C.	HOFFMAN, S	HOFFMAN, SUSAN COE		
1776 YO. SUITE 5:	RKŤOWN 50	1		ART UNIT	PAPER NUMBER	
HOUSTO	ON, TX	77056	1655	1655		
				DATE MAIL ED. 00/12/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

X

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/725,611	MARTIN ET AL.		
Examiner	Art Unit		
Susan Coe Hoffman	1655		

no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed of extension and the corresponding amount of the fee. The appropriate extension fee have been filed of extension and the corresponding amount of the fee. The appropriate extension fee have been filed of extension fee have been filed to file action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed after than three months after the mailing date of the final rejection, even if timely filed after than three months after the mailing date of the final rejection, even if timely filed, may reply may reply must be filed within the mailing date of the final rejection, even if timely filed, may reply must be filed within two months of the date of filing the Notice of Appeal was filed on the filed, any	Before the I filling of all Appeal Brief	Examiner	Art Unit							
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1. ☑ The rapply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid bandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☑ The period for reply expires 2 months from the mailing date of the final rejection. The period for reply expires 2 months from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee towards and the corresponding amount of the fee. The appropriate extension fee numbers of the date for purposes of determining the period of extensions and the corresponding amount of the fee. The appropriate extension fee numbers of the feel of the proper of extension feel to the feel of the feel o	The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress						
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Claim(s) objected to: Claim(s) rejected: 1-4,6,8,11,12,16,17,20,22-28,31 and 32. Claim(s) withdrawn from consideration: 7,9,10,13-15,29 and 30. AFFIDAVIT OR OTHER EVIDENCE 3. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). Susan Coe Hoffman Primary Examiner	how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		ll be entered and an e	explanation of						
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	13. ⊠ Other: <u>See Continuation Sheet</u> .	C	Susan Coe Hoffma							

Application No. 10/725,611

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: applicant adds additional types of fats that would require further consideration.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments have been fully considered but are not persuasive for the reasons of record.

Continuation of 13. Other: The terminal disclaimer filed on August 24, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent Application No. 10/725,068 has been reviewed and is accepted. The terminal disclaimer has been recorded.